Notice of Allowability	Application No.	Applicant(s)	
	10/779,427	BOJSEN ET AL.	
	Examiner	Art Unit	
	Nashaat T. Nashed, Ph. D.	1656	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.			
1. This communication is responsive to the amendment filed 6/27/07.			
2. The allowed claim(s) is/are <u>39-54</u> .			
<ul> <li>3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some* c) None of the:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No. 09/856,819.</li> <li>3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* Certified copies not received:</li> </ul>			
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.			
4. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.			
5. CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.			
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached			
1)  hereto or 2)  to Paper No./Mail Date			
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date			
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).			
<ol> <li>DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.</li> </ol>			
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Attachment(s) 1. ⊠ Notice of References Cited (PTO-892)	E	A-ut A-utlanta	
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)	5. Notice of Informal Pa	''	
	<ol> <li>Interview Summary ( Paper No./Mail Date</li> </ol>	P10-413), 9	
<ol> <li>Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>2/13/04 &amp; 1/24/06</u></li> </ol>	7. 🛛 Examiner's Amendm	ent/Comment	
Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. 🛛 Examiner's Statemer	nt of Reasons for Allowance	
	9.	•	
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The application has been amended as re quested in the communication filed June 18, 2007 and June 27, 2007. Accordingly, claims 1-38 have been canceled, and claims 39-54 have been entered and amended.

Claims 39-54 are pending and under consideration.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jason I. Garbell on July 10, 2007.

The application has been amended as follows:

Rewrite the claims as shown below:

- Claim 39 A lipolytic enzyme which is a variant of a parent Humicola lanuginosa lipolytic enzyme, wherein the variant has at least 90% homology with the Humicola lanuginosa lipolytic enzyme of SEQ ID NO:32, and wherein the variant comprises amino acid substitutions E1E,D,A + G91G,A,S,T + N94N,D + D96D,G,F,W + E99E,K + G225G,R,K + G263Q,N + L264L,A,V + I265I,T,S + G266A,V,S,D,E + T267T,A,V + L269L,I,N; wherein the amino acid residues are number numbered according to SEQ ID NO: 32 (using SEQ ID NO: 32 for numbering).
- Claim 40 The lipolytic enzyme of claim 39 which further comprises SPIRR of SEQ ID NO: 21 as a peptide extension at the N-terminal.
- Claim 41 The lipolytic enzyme of claim 39 which further comprises AGGF of SEQ ID NO: 18 or AGGFS of SEQ ID NO: 19 as a peptide extension at the C-terminal.
- Claim 52 A lipolytic enzyme which is a variant of a parent Humicola lanuginosa lipolytic enzyme of SEQ ID NO: 32, wherein the variant consists of amino acid substitutions E1E,D,A + G91G,A,S,T + N94N,D + D96D,G,F,W + E99E,K + G225G,R,K + G263Q,N + L264L,A,V + I265I,T,S + G266A,V,S,D,E + T267T,A, V + L269L,I,N,Q (using SEQ ID NO: 32 for numbering).

Claims 39-54 are allowed.

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The following is an examiner's statement of reasons for allowance: The specification discloses several variants of the lipolytic enzyme of SEQ ID NO: 32 from *Humicola lanuginosa* with the altered activity described in claim 43. The pending claims require at least the substitution at residues 263 (Q or N) and 266 (A, V, S, D, E) of SEQ ID NO: 32. The most relevant prior art to the instant claims is related U. S. patents 5,869,438, 5,892,013, and 5,976,855 ('855). The patents describe and claim mutants of *Humicola lanuginosa* lipase and method of obtaining said mutants with improved wash performance. Claim 18 of the '855 patent is directed to a method of obtaining lipase with improved wash performance in various regions of *H. lanuginosa* lipase of residues 263-269, but the only mutation at position 266 is a deletion mutation, which is claimed in the '438 patent. No substitution mutation at position 266 is reported or claimed. Claim 17 is directed to variants of *H. lanuginosa* lipase comprising the mutation G263A. The prior art does not teach or suggest that combining the specific substitution at positions 263 and 266 would result in desired change in the selectivity or substrate specificity for the enzyme. Thus, the claims are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nashaat T. Nashed, Ph. D. whose telephone number is 571-272-0934. The examiner can normally be reached on MTWTF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathleen K. Bragdon can be reached on 571-272-0931. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nashed/ Nashaat T. Nashed, Ph. D. Primary Examiner Art Unit 1656



## **PALM INTRANET**

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## **Continuity Information for 10/779427**

## Parent Data

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is a division of <u>09856819</u>

Which is a continuation of PCT/DK99/00664 International Filing Date: 11/29/1999

Which Claims Priority from Provisional Application 60111430

Which Claims Priority from Provisional Application 60111430

Which Claims Priority from Provisional Application 60129914

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Which Claims Priority from Provisional Application 60160735

## Child Data No Child Data

Appin Info Contents Petition Info Atty/Agent	Info Continuity/Reexam Foreign Data
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Attorney Docket #	Search
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